

REPORT - PLANNING COMMISSION MEETING
December 8, 2005

Project Name and Number: **FREMONT PARK GOLF CENTER TEE STRUCTURE (PLN2005-00281)**

Applicant: Diane Harrow, VB Golf; Blake Calabrese, General Manager Fremont Park Golf Center

Proposal: To consider a conditional use permit amendment to construct a two-story tee structure at the location of the existing tee stations located on the existing golf driving range site.

Recommended Action: Approve based on findings and subject to conditions.

Location: 39751 Stevenson Place in Central Park in the Central Planning Area

APN: 525-1-17-1; 525-1-20

Area: Approximately 7.7 acres (driving range area only)

Owner: City of Fremont

Agent of Applicant: Same

Environmental Review: A Mitigated Negative Declaration has been prepared and circulated for this project.

Existing General Plan: Institutional Open Space

Existing Zoning: O-S, [Institutional] Open Space District

Existing Land Use: Golf Driving Range

Public Hearing Notice: Public hearing notification is applicable. 126 notices were mailed to owners and occupants of property within a minimum radius of 300 feet from the site on the following streets: Valdez Way, San Moreno Place, San Moreno Court, Stevenson Place, San Simeon Court, Catalina Place, San Carlos Place, Lucinda Court, Seville Court, San Carlos Court, and Seville Place. The notices to owners and occupants were mailed on November 23, 2005. A Public Hearing Notice was delivered to The Argus newspaper on November 21, 2005 to be published by November 24, 2005.

Executive Summary: The applicant is requesting approval of a conditional use permit amendment (CUP) to construct a two-story tee structure at the location of the existing tee stations located at the existing golf driving range at the Fremont Park Golf Center.

Background: The project site is generally located at the southerly end of Stevenson Place. The project area is part of the existing Fremont Park Golf Center that consists of a nine hole executive golf course, a driving range, a clubhouse, a maintenance facility and the associated public parking lots. The Fremont Park Golf Center operates under Conditional Use Permit U-98-2. A Preliminary Grading Plan to redesign the existing target greens of the driving range to create a higher quality golf experience and improve the storm drain system was approved by the Planning Commission on June 23, 2005.

Project Description: The applicant proposes a conditional use permit amendment to construct a two-story tee structure at the location of the existing tee stations located at the existing golf driving range at the Fremont Park Golf Center. The proposed tee structure would provide approximately 55 tee stations, an increase over the existing 33 stations. The hours of operation of the driving range would remain the same. U-98-2 approved the Fremont Park Golf Center to be open to the public seven days a week from 7 a.m. until 9:00 p.m.

PROJECT ANALYSIS:

General Plan and Zoning Conformance: The General Plan land use designation for the project site is Institutional Open Space. The proposed project is consistent with that General Plan designation. The project meets General Plan Land Use and Parks and Recreations Goals and Policies as follows:

FUNDAMENTAL GOAL F-12 PARKS, RECREATIONAL FACILITIES AND OPPORTUNITIES

Policy LU 4.3 Development on land designated Institutional Open Space is limited to compatible recreational and community uses.

The proposed project would meet this policy since this is an existing facility and the proposed project would enhance the recreational use.

Parks and Recreation Goal 2: Park lands and recreation facilities to reflect Fremont's image and identity

Policy PR 2.1.1: Maintain and enhance the City's parks and recreation facilities and resources that significantly contribute to Fremont's image and identity.

The proposed project would meet this policy by improving the recreational facilities available and to keep the driving range facility up to date with current golfing trends.

The zoning designation is O-S, [Institutional] Open Space District. The operation of the driving range is subject to Conditional Use Permit U-98-2. The purpose of the CUP is to ensure that the proposed project is consistent with all policies and regulations. The proposed project would not modify any existing operating conditions of the conditional use permit. The tee structure is in conformance with the height limit of thirty feet in the Open Space zoning district. The proposed project is in conformance with the General Plan and Zoning district.

Architecture: The proposed two level tee structure materials is a steel structure with metal siding at the enclosed areas at either end of the structure. The enclosed areas are for ball washing/dispensing and an indoor teaching area. The roof is standing seam metal painted a rust/brown color similar to the roof of the Golf Center building. The tee structure is proposed to be approximately 248 feet in length, 30 feet in width and 30 feet in height. The tee structure will be painted with neutral colors such as tan, brown and rust to blend in to the surrounding open space. The structure will be partially screened from view from public roadways by existing trees to the east and north in addition to the existing office buildings and golf clubhouse. The existing netting (60-80 feet in height) will remain in place and is adequate for the upper level of tee stations. The lighting will be reviewed to be glare-free to adjacent properties as a standard condition as part of the City's Development Organization review process.

Parking/Circulation: No modifications are proposed to the existing two parking lots available to the golf center. A total of 178 parking spaces are provided. The parking lots have been more than adequate for the existing facilities, and thus will have adequate capacity for the expanded driving range tee structure.

Environmental Analysis: An Initial Study and Draft Mitigated Negative Declaration have been prepared and circulated for this project. The environmental analysis identified concerns regarding potential impacts to noise, air quality, and geology. The Draft Mitigated Negative Declaration includes mitigation measures, which, if implemented, would reduce the identified impacts to non-significant levels. These mitigation measures have been included as conditions of approval for this project. A more detailed description of the potential impacts is provided within the Initial Study for the project, which is included as an enclosure. In addition, a Mitigation Monitoring Program is recommended for adoption in order to ensure implementation of mitigation measures.

There is no evidence the proposed project would have any potential for adverse effect on wildlife resources because the new structure would be built on the same footprint as the existing use. Based on this finding, a Certificate of Fee Exemption will be submitted with the Notice of Determination after project approval, as required by Public Resources

Code section 21089 (see attachment to Draft Mitigated Negative Declaration). The Certificate of Fee Exemption allows the project to be exempted from the review fee and environmental review by the California Department of Fish and Game.

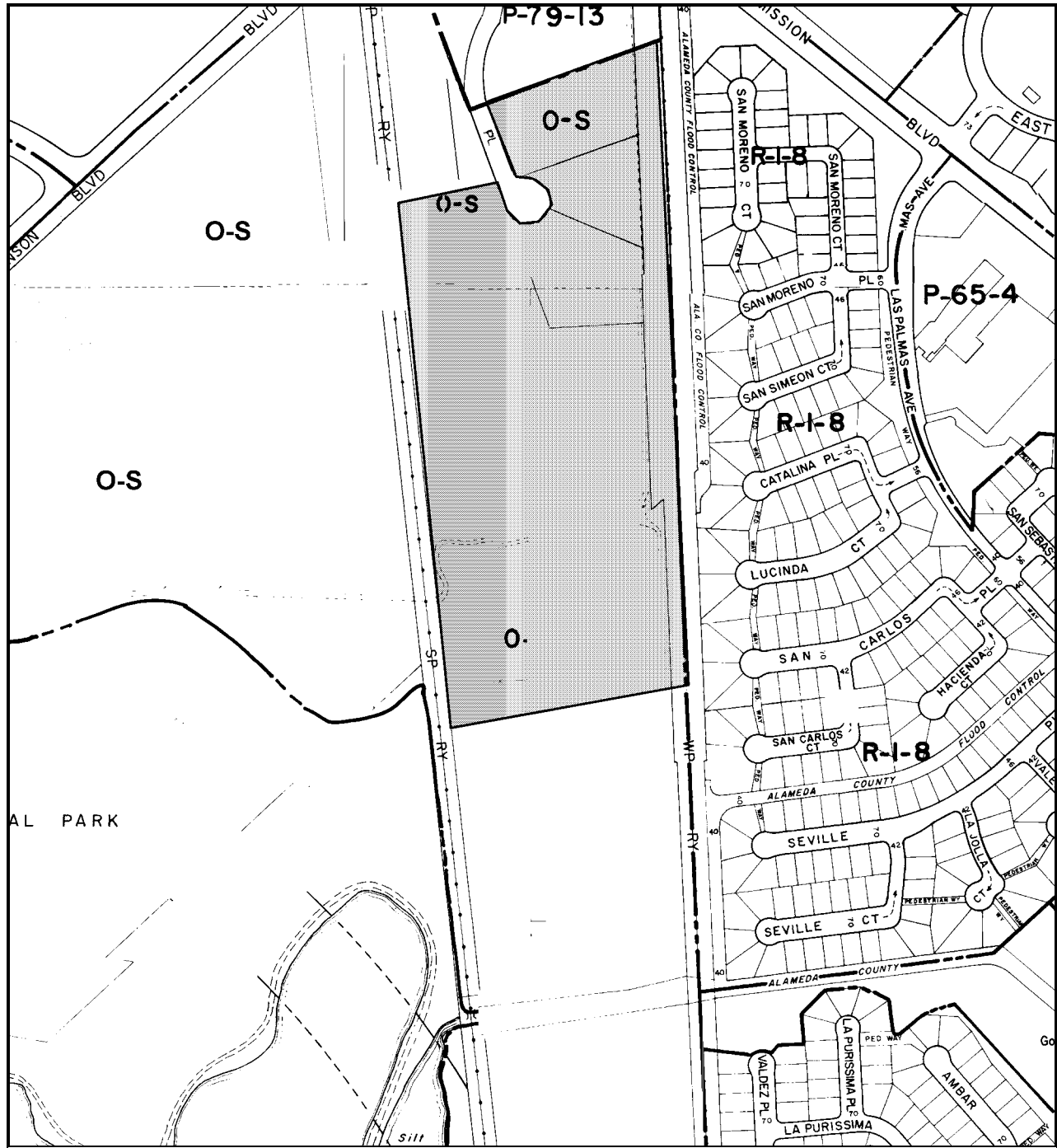
Enclosures: Exhibit "A" Site Plan, floor plan and elevations
 Draft Mitigated Negative Declaration and Initial Study and Mitigation Monitoring Plan
 Informational Applicant Statement

Exhibits: Exhibit "A" Site Plan, floor plan and elevations
 Exhibit "B" Findings and Conditions

Recommended Actions:

1. Hold public hearing.
2. Find the initial study conducted for the project has evaluated the potential impacts that could cause an adverse effect, either individually or cumulatively, on wildlife resources. Therefore, find that there is no evidence the project would have any potential for adverse effect on wildlife resources and recommend the filing of a Certificate of Fee Exemption for the project.
3. Adopt (Mitigated) Negative Declaration PLN2005-00281, with accompanying Certificate of Fee Exemption, find that it reflects the independent judgment of the City of Fremont, and find there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.
4. Approve Mitigation Monitoring Plan for the project.
5. Find PLN2005-00281 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use and Parks and Recreation Chapters as enumerated within the staff report.
6. Find PLN2005-00281 per Exhibit "A" (Plan) and Exhibit "B" (Findings and Conditions) fulfills the applicable requirements set forth in the Fremont Municipal Code.
7. Approve PLN2005-00281 in conformance with Exhibit "A" (Plan) and Exhibit "B" (Findings and Conditions).

Existing Zoning
Shaded Area represents the Project Site



3.45 AC

STEVENSON AVE

MISSION BLVD

SAN BORN

LUCINDA

CARLOS

CENTRAL PARK

STUDY FOR BART TRAIL

SHEE 578-C-384

4-6

EXHIBIT "B"
Fremont Park Golf Center
PLN2005-00281

FINDINGS

The findings below are made on the basis of information contained in the staff report to the Planning Commission and public hearing of December 8, 2005, incorporated hereby.

1. The use is consistent with the General Plan designation for the site since the land use -- a golf driving range tee structure -- is conditionally permitted on property designated as Open Space in the General Plan.
2. The use would not have a substantial adverse effect on vehicular (including bicycle) or pedestrian circulation or safety, on transit accessibility, or on the planned level of service of the street system or other public facilities or services, because all roadway improvements adjacent to the project site have been completed or will be completed with this project. Access to the site will be from Stevenson Place and the project will use the adjacent parking lots for access and parking. Sufficient parking is provided, and points of ingress-egress are properly located.
3. The use would not have a substantial adverse economic effect on nearby uses because it would not reduce business activities or commercial uses in the area because it is not in direct competition with other uses. The public recreational facility already exists and the proposed project is an improvement of the facilities.
4. The use would not be detrimental to the general welfare of persons residing in the immediate vicinity, the neighborhood, or the community at large because the facility is properly regulated and is designed to limit impacts on surrounding neighbors.
5. The use is compatible with the existing executive golf course and the recreational facilities in Central Park because the two story tee structure is designed in conformance with Building and Fire Code and Health Code requirements. The use will be regulated by the existing conditions of approval for the golf course and thus will be compatible with adjacent public, commercial and residential uses.
6. The design of the project is compatible with the existing golf course facilities and its surroundings because the proposed two story tee structure will be painted in neutral colors and partially screened by mature landscaping.

CONDITIONS

1. Approval of PLN 2006-00281 for a conditional use permit amendment for a two level tee structure shall conform to Exhibit "A" and all conditions of approval set forth herein.
2. Applicant shall submit appropriate plans and documents to City of Fremont Development Organization section for review to insure conformance with relevant codes, policies, and other requirements of the Fremont Municipal Code.
3. This use permit amendment shall take effect and be issued by the Planning Director within two years, upon the conclusion of review by the Development Organization and issuance of building permit. Should review by the Development Organization not be complete within two years, the permittee may apply for an extension of time. The Planning Director is authorized to issue one extension not to exceed two years. Subsequent extensions shall be considered by Planning Commission.
4. The height of the proposed tee structure shall not exceed 30 feet.
5. The proposed structure shall be reinforced in compliance with the applicable Seismic Safety Code to resist settlement and ground failure in the event of an earthquake.

6. A soil analysis addressing liquefaction is required to be prepared and peer reviewed, subject to the reasonable approval of the City Engineer or Chief Building Official, during the building permit review of the project.
7. Dust generated on the project site shall be controlled by watering all exposed areas at least twice daily during excavation, and especially during clearing and grading operations. Additional watering on windy or hot days is required to reduce dust emissions. Stockpiles of sand, soil, and similar materials shall be covered with a tarp. Cover trucks hauling dirt or debris to avoid spillage. Paving shall be completed as soon as feasible to reduce the time that bare surfaces and soils are exposed. In areas where construction is delayed for an extended period of time, the ground shall be replanted to minimize the generation of dust. A person shall be designated to oversee the implementation of the dust control program.
8. Lighting fixtures shall be focused onto the project site and shielded away from adjacent roadways and residences. The design and details will be subject to the review and approval of staff during the Development Organization review process.
9. The applicant shall meet all requirements in the 2001 California fire code and all local amendments to that code in Ordinance #2485. An approved automatic fire extinguishing system (AFES) or an alternate method and material is required subject to approval of the Fire Department.
10. Minor modifications to the conditional use permit amendment consistent with Title IV, Chapter 7 of the Fremont Municipal Code may be made subject to review and approval of the Planning Director if such modifications are in keeping with the intent of the original approval. If the Planning Director finds evidence that conditions of approval have not been fulfilled or that the use or uses has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Director may refer the use permit to the Planning Commission for review. If, upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the use permit.
11. Construction hours will be limited in accordance with Section 8-2205 of the Fremont Municipal Code, and notes to this effect shall be placed on the cover sheet of the construction plans and on an all-weather notice board (format and content specified by City) conspicuously placed adjacent to the most visible right of way for the duration of the construction activity as follows:
 - a. Monday-Friday, 7 a.m. to 7 p.m.
 - b. Saturday & Holiday, 9 a.m. to 6 p.m.
 - c. Sunday, no construction activity allowed